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MEMO ENDORSED

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File Number: 57TS-402627

January 7, 2025

VIA ECF

Honorable Valerie Caproni
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 443
New York, New York 10007

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Re: Rennie Somar v. Solar Mosaic LLC
Civil Action No. 1:24-cv-08637-VEC

Dear Judge Caproni:

We represent Defendant Solar Mosaic LLC ("Mosaic") in this action. Mosaic was served with the complaint on November 21, 2024. On December 11, 2024, Mosaic filed a letter motion to extend the time to respond to the complaint from December 12, 2024, to January 10, 2025, with the consent of Plaintiff's counsel. The Court granted the request the same day. (ECF No. 11.)

Thereafter, counsel for Plaintiff and Mosaic have met and conferred regarding Mosaic's anticipated motion to compel arbitration, potential discovery relating to that motion, and potential early resolution. To allow the parties to meet and confer further about these issues, Plaintiff and Mosaic have agreed to a further 21-day extension of Mosaic's deadline to respond to the complaint.

In addition, Plaintiff and Mosaic also agreed to adjourn the January 17, 2025, initial pre-trial conference and related deadlines, including the January 9, 2025, deadline to file a Joint Letter, to allow the parties to focus on their meet-and-confer efforts and to allow Defendant NYS Essential Power, Inc. ("NYS") more time to appear in this action and to respond to the complaint. In particular, NYS was served with the complaint and summons on December 5, 2024. (ECF No. 12.) Its deadline to respond to the complaint was on December 26, 2024. However, NYS has not yet appeared in the case. To allow NYS more time to respond to the complaint and to possibly participate in the Joint Letter and Case Management Plan, Mosaic and Plaintiff have agreed to continue the initial pre-trial conference, Joint Letter, and related deadlines by at least 21 days.

Accordingly, Mosaic writes to request:

1. A brief further extension of time for Mosaic to respond to the complaint from January 10, 2025, to January 27, 2025.



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2. A continuance of the initial pre-trial conference from January 17, 2025, to January 27, 2025, or any date thereafter that is convenient for the Court.

3. An extension of the parties' deadline to file a Joint Letter and Case Management Plan from January 9, 2025, to January 20, 2025, or later based on the rescheduled initial pre-trial conference.

Pursuant to Your Honor's Individual Rules, Mosaic states that there has been one previous request for an extension of Mosaic's deadline to respond to the complaint. (ECF No. 10.) Further, the extensions requested in this letter will not affect any scheduled dates for this matter.

Please feel free to contact me if Your Honor desires any additional information.

Respectfully submitted,

/s/Robert J. Guite

Robert J. Guite
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

CC: COUNSEL OF RECORD (VIA ECF)

SMRH:4927-9612-6221.1

Application GRANTED. Defendant Solar Mosaic LLC's response to the Complaint must be filed by no later than January 27, 2025. If Defendant NYS Essential Power, Inc. appears before January 27, 2025, its time to respond to the Complaint is extended to January 27, 2025.

The Initial Pre-trial Conference scheduled for January 17, 2025 is ADJOURNED to January 31, 2025 at 10:00 A.M. in Courtroom 20C of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007. The parties' joint letter and proposed case management plan must be filed by January 23, 2025.

SO ORDERED.

A handwritten signature in blue ink that reads "Valerie Caproni".

1/7/2025

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE